



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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November 28, 2017

Filed on ECF

Honorable Brian M. Cogan
U.S. District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: *SEC v. Platinum Management (NY) LLP, et al.*, No. 16-6848 (BMC)
*Proposed Joint Agenda***

Dear Judge Cogan:

Pursuant to the Court's Order dated October 20, 2017, the parties in the above-referenced case were directed to file a Proposed Joint Agenda 48 hours in advance of the status conference that the Court scheduled for Friday, December 1, 2017. The following is the parties' Proposed Joint Agenda.

1. Plaintiff Securities and Exchange Commission ("SEC") proposes that the Receiver provide the Court, to the extent the Court would find it helpful, with a brief overview of the entities currently under the Receivership's supervision; issues the Receivership is currently dealing with; and matters that the Receiver anticipates may be brought before the Court in the near future. The Defendants do not oppose this proposed agenda item.
2. The Defendants propose discussing a modification of the complete discovery stay imposed by Judge Irizarry such that the discovery stay would only extend to testimonial-type activities, including depositions, interrogatories and pleadings, by any party or witness with a legitimate basis to invoke his/her Fifth Amendment rights. The U.S. Attorney's Office for the Eastern District of New York, which originally moved for the discovery stay, has informed the undersigned that it will oppose any modification of Judge Irizarry's discovery stay. While the SEC took no position on the initial motion as to whether there should be a complete discovery stay or discovery should go forward as to all parties, the SEC opposes the proposed modification that would permit Defendants to pursue discovery of the SEC and third parties but permit them to assert their Fifth Amendment rights and avoid providing substantial reciprocal discovery, such as being deposed, answering the Complaint or answering interrogatories.
3. Defendant Nordlicht proposes discussing the formation of an Investor Advisory Committee as a formal mechanism by which non-Defendant investors in the Platinum funds would be able to express their position to the Court on the Receiver's proposed actions. The SEC will oppose this request.

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The undersigned has circulated this letter to Defendants' counsel and they agree that it accurately reflects the parties' Proposed Joint Agenda.

Respectfully submitted,



Kevin P. McGrath
Senior Trial Counsel

Cc (via email):

All counsel of record